

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2007-008302

04/10/2009

HONORABLE A. CRAIG BLAKEY II

CLERK OF THE COURT
J. Rutledge
Deputy

SUTTON PLACE IMPROVEMENT
ASSOCIATION

STEPHEN JOHN WOMACK

v.

WILLIAM L MARTIN, et al.

ASHLEY D ADAMS-FELDMAN

**TRIAL MINUTE ENTRY
DAY FOUR**

Courtroom CCB-401

Let the record reflect that Court and counsel meet in chambers to discuss final jury instructions.

9:27 a.m. Trial to a jury. Plaintiff Sutton Place Improvement Association is present and represented by counsel, Steven R. Napoles. Defendant William L. Martin is present and represented by counsel, Ashley D. Adams.

Court Reporter, Marylynn LeMoine, is present.

The jury is not present.

Discussion is held regarding the approval of final jury instructions and forms of verdicts.

Pursuant to stipulation of the parties, Exhibit 72 is received in evidence.

9:31 a.m. The court stands at recess.

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9:41 a.m. Court reconvenes with the parties and respective counsel present.

Court Reporter, Marylynn LeMoine, is present.

The jury is present.

The jury is instructed by the court as to the law applicable to this cause.

FILED: Final Jury Instructions

Closing arguments are presented.

10:39 a.m. The jury is excused from the courtroom; Court remains in session.

Discussion is held regarding the issue of the injunction in Plaintiff's underlying complaint.

For the reason set forth on the record,

IT IS ORDERED taking this matter under advisement.

10:43 a.m. The court stands at recess.

10:58 a.m. Court reconvenes with the parties and respective counsel present.

Court Reporter, Marylynn LeMoine, is present.

The jury is present.

Discussion is held.

10:59 a.m. The jury retires in charge of the sworn bailiffs to consider their verdicts; Court remains in session.

Counsel waives the appearance of their clients for the discussion of any jury questions and for the reading of the verdict.

11:01 a.m. The court stands at recess.

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3:15 p.m. Court reconvenes. Plaintiff is represented with counsel, Stephen A. Napoles. Defendants are represented by counsel, Ashley D. Adams.

The jury is all present in the jury box and by their presiding juror, return into court their verdicts, which are read and recorded by the clerk and are as follows:

"We, the Jury, duly empanelled and sworn in the above entitled action, upon our oaths, do find in favor of Defendants William L. Martin and Amy M. Amaro-Martin, and against Plaintiff Sutton Place Improvement Association, and award damages in the sum of \$200,000.00 plus attorney's fees."

The verdict is unanimous and signed by the Foreperson.

The jurors reply that this is their true verdict.

The jury is polled at the request of counsel for Plaintiff. Each juror replies that this is his/her true verdict.

The jury is thanked by the Court and excused from further consideration in this cause.

3:20 p.m. Trial concludes.

ISSUED: Exhibit Release Forms (2)

FILED: Exhibit Worksheet

FILED: Trial Worksheet

FILED: Verdicts (3)

EXHIBITS RELEASED

Pursuant to the verdict entered, and there being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS FURTHER ORDERED that the clerk permanently release the following exhibits used in this proceeding to the counsel/party causing them to be marked, or to their written designee. Counsel/party shall have the right to refile relevant exhibits as needed in support of any appeal. Refiled exhibits must be accompanied by a Notice of Refiling Exhibits and presented to the Exhibits Room of the Clerk's Office. The Court's exhibit tag must remain intact on all refiled exhibits.

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Plaintiff(s): 9-10, 12, 34-36, 45, 58-62, 64, 66-70

Defendant(s): 81, 83-84, 88, 93, 100-101

Let the record reflect that counsel/parties take immediate possession of the released exhibits.